

\*\*E-filed 7/6/07\*\*

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[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re COHERENT, INC. SHAREHOLDER  
DERIVATIVE LITIGATION

Lead Case No. C-07-0955-JF

DERIVATIVE ACTION

This Document Relates To:

ALL ACTIONS.

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE**

WHEREAS, by Order dated May 29, 2007 (the "May 29, 2007 Order"), this Court  
appointed the law firms of Schiffrin Barroway Topaz & Kessler, LLP and Lerach Coughlin Stoia  
Geller Rudman & Robbins, LLP as Co-Lead Counsel;

**STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT  
CONFERENCE CASE NO. C07-0955 JF**

1 WHEREAS, the May 29, 2007 Order ordered Plaintiffs James M. Lee, J. Davis  
2 Bartholomew and Michael Werner ("Plaintiffs") to file and serve a consolidated complaint (the  
3 "Consolidated Complaint") on or before June 25, 2007;

4 WHEREAS, Plaintiffs filed their Consolidated Complaint on June 25, 2007;

5 WHEREAS, by Stipulation dated April 18, 2007 (the "April 18, 2007 Order"),  
6 Defendants shall answer or otherwise respond to the Consolidated Complaint no later than forty-  
7 five (45) days from the date of filing of the Consolidated Complaint;

8 WHEREAS, the parties have agreed that in the event that Defendants file and serve any  
9 motion directed at the Consolidated Complaint, Plaintiffs shall file and serve an opposition no  
10 later than forty-five (45) days from the date of filing of the motion;

11 WHEREAS, the parties have agreed that if Defendants file and serve a reply to Plaintiffs'  
12 opposition, they will do so no later than thirty (30) days from the date of filing of the opposition;

13 WHEREAS, the May 29, 2007 Order scheduled an initial Case Management Conference  
14 ("the Case Management Conference") for July 13, 2007 at 10:30 a.m.;

15 WHEREAS, the parties have agreed to continue the Case Management Conference until  
16 November 9, 2007 at 10:30 a.m., or such other date that the Court deems appropriate; and

17 WHEREAS, the agreed-upon schedule is not for the purpose of delay, promotes judicial  
18 efficiency, and will not cause prejudice to any party:

19 THEREFORE, IT IS STIPULATED AND AGREED by Plaintiffs and Defendants,  
20 through their respective counsel of record, that:

21 1. The Case Management Conference currently scheduled for July 13, 2007, shall be  
22 continued to November 9, 2007, subject to the approval of the Court.

23 2. Defendants shall answer or otherwise respond to the Consolidated Complaint no  
24 later than August 9, 2007.

25 3. In the event that Defendants file and serve any motion directed at the  
26 Consolidated Complaint, Plaintiffs shall file and serve an opposition no later than forty-five (45)  
27 days from the date of filing of the motion.

28 **STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT  
CONFERENCE CASE NO. C07-0955 JF**

1 If Defendants file and serve a reply to Plaintiffs' opposition, they will do so no later than  
2 thirty (30) days from the date of filing of the opposition.

3 IT IS SO STIPULATED.

4 Dated: July 2, 2007

/s/

5 LERACH COUGHLIN STOIA GELLER  
6 RUDMAN & ROBBINS LLP

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15 Dated: July 2, 2007

/s/

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25 -and-

26 SCHIFFRIN BARROWAY TOPAZ & KESSLER,  
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Co-Lead Counsel for Plaintiffs

STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT  
CONFERENCE CASE NO. C07-0955 JF

1 Dated: July 2, 2007

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10 Dated: July 2, 2007

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20 Dated: July 2, 2007

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Counsel for Defendant Bernard Couillaud

28 **STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT  
CONFERENCE CASE NO. C07-0955 JF**

1 Dated: July 2, 2007

/s/  
\_\_\_\_\_  
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7 Dated: July 2, 2007

/s/  
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Fossati-Bellani, Kevin McCarthy, James L. Taylor,  
Gerald C. Barker, Kevin P. Connors, Robert M.  
Gelber, James L. Hobart and Nominal Defendant,  
Coherent, Inc.

28 **STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT**  
**CONFERENCE CASE NO. C07-0955 JF**

**Attestation Pursuant To General Order 45**

I, Nichole Browning, attest that concurrence in the filing of this document has been obtained from the other signatory. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 2nd day of July, 2007 at San Francisco, California.

/s/ Nichole Browning

**ORDER**

Pursuant to the parties' stipulation, IT IS SO ORDERED.

Dated: 7/6/07

  
JEREMY FOGEL  
UNITED STATES DISTRICT COURT JUDGE

**STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT  
CONFERENCE CASE NO. C07-0955 JF**